Elements of a Theory of Global Governance
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World War II was calamitous not just for Europe, but for the world at large. The death and destruction was of a scale nearly impossible to comprehend, leaving Europe devastated and much of East Asia traumatised. The rise of Nazism and fascism in Europe created a horrific new form of industrial killing focused on Jews, political dissents, and many minority groups. The Japanese invasions of China and Southeast Asia were marked by a trail of brutality, as was the march of Stalin's armies through the "bloodlands" between Moscow and Berlin.[1] Allied forces also pushed the boundaries of violence; for example, in the fire-bombing of Dresden and Tokyo, and in the first use of nuclear weapons in Hiroshima and Nagasaki. In these cities, men and women were going to work, children were playing, and "more human beings died at once than anyone thought possible".[2] World War II brought humanity to the edge of the abyss, but not for the first time in twentieth-century history.

The politicians who gathered from 45 countries in San Francisco in 1945 were faced with the choice of either allowing the world to drift in the aftermath of the shock of the war, or to begin a process of rebuilding the foundations of the international community. Addressing the gathering of leaders, US President Harry Truman warned that the world was at a crossroads:

> You members of this Conference are to be the architects of the better world. In your hands rests our future. By your labors at this Conference, we shall know if suffering humanity is to achieve a just and lasting peace… With ever increasing brutality and destruction, modern warfare, if unchecked, would ultimately crush all civilization. We still have a choice between the alternatives: The continuation of international chaos, or the establishment of a world organization for the enforcement of peace.[3]

At the heart of the post-war security arrangements was, of course, the newly formed United Nations and along with it the development of a new legal and institutional framework for the maintenance of peace and security. Article I of the UN Charter explicitly states that the purpose of the UN is to "maintain international peace and security and to that end: to take effective collective measures for the prevention and removal of threats to peace".[4] Moreover, Article I goes on to stress that peace would be sought and protected through principles of international law. It concludes with the position that the UN is to be "a centre for harmonizing the actions of nations in the attainment of these common ends".

The UN sought to replace unilateral military action with collective action that might still preserve central elements of state sovereignty.[5] Maintaining global peace and stability serves the obvious purpose of limiting violence, but it is also a quintessential prerequisite for accelerating 'globalisation' across many domains of human activity: trade, finance, and

[1] L. T. Snyder, *Bloodlands: Europe Between Hitler and Stalin*, New York, Basic Books, 2010.
[2] B. Kingsolver, 'A Pure, High Note of Anguish', *Los Angeles Times*, 23 September 2001.
[3] Harry S. Truman, Address to the United Nations Conference in San Francisco, 25 April 1945.
[4] United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI.
[5] G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars,* Princeton, Princeton University Press, 2001.

communication being the most prominent among them. With peace comes the prospect of stable and rising prosperity.

The titanic struggles of World War I and World War II led to a growing acknowledgment that the nature and process of global governance would have to change if the most extreme forms of violence against humanity were to be outlawed, and the growing interconnectedness of and interdependence of all nations recognised. Slowly, the subject, scope, and very sources of international law were all called into question. The image of international regulation projected by the UN Charter (and related documents) was one of "states still jealously sovereign" but now linked together in a "myriad of relations"; states would be under pressure to resolved disagreements by peaceful means and according to legal criteria; subject in principle to tight restrictions on the resort to force; and constrained to observe "certain standards" with regard to the treatment of all persons in their territory, including their own citizens.[6]

At the heart of this development lies claims made on behalf not just of individual states, but on behalf of an alternative organising principle of world affairs: ultimately, a community of all states, with equal voting rights in the UN General Assembly, openly and collectively regulating international life while constrained to observe the UN Charter and a battery of human rights conventions.[7]

Yet, the promise of the UN was compromised almost from its inception by the Cold War, the ideological and geopolitical tensions that would shape the world for almost fifty years. These tensions stemmed from the political, economic, and military rivalry between the Soviet Union and the United State, each bolstered by their respective allies. However, this standoff facilitated, somewhat paradoxically, a deepening of interdependence among world powers. It is difficult to imagine a more immediate form of interdependence than Mutually Assured Destruction (MAD). Once the world reached a point at which a small group of decision-makers could release weapons that could, literally, obliterate the rest of the world, it created a new recognition of shared vulnerability. This awareness demanded greater coordination among world powers. Thus, the nuclear standoff of the Cold War drew world powers closer together as a way to mitigate the threat and ensure that military posturing did not escalate into all-out nuclear confrontation.[8]

Thus, despite all its complexities and risks, the post-Second World War UN system, including weapons of mass destruction and the threat of MAD, facilitated, in many respects, a new form of 'governed globalisation' that contributed to relative peace and prosperity across the world over several decades. The importance of this should not be underestimated. The period was marked by peace between the great powers, although there were, of course, many proxy wars fought out in the Global South. This relative stability created the

[6] A. Cassese, 'Violence, War and the Rule of Law in the International Community', in D. Held (ed.), *Political Theory Today*, Cambridge, Polity, 1991, p. 256.

[7] David Held, *Democracy and the Global Order*, Stanford, Stanford University Press, 1995.

[8] It is worth noting that this sense of shared vulnerability can only be upheld if both parties believe the 'good life' lies in this world; in other words, if they are both more or less secular. If this association is no longer valid the idea of shared vulnerability on this earth breaks down.

conditions for what now can be regarded as an unprecedented period of prosperity that characterised the 1950s onward. While the economic record of the post-war years varies by country, and by region, many experienced significant economic growth and living standards rose rapidly across several parts of the world. By the late 1980s a variety of East Asian countries were beginning to grow at an unprecedented speed, and by the late 1990s countries such as China, India, and Brazil had gained significant economic momentum, a process that continues to this day (although Brazil is faltering now).

Post-war multilateral institutions – not just the UN, but the Bretton Woods institutions as well– created conditions under which a multitude of actors could benefit from economic activity, forming corporations, investing abroad, developing global production chains, and engaging with a plethora of other social and economic processes associated with globalisation. These conditions, combined with the expansionary logic of capitalism and basic technological innovation, changed the nature of the world economy, radically increasing dependence on people and countries from every corner of the world.

This is not to say that international institutions were the only cause of the dynamic form of globalisation experienced over the last few decades. However, economic globalisation, and everything associated with it, was allowed to thrive and develop because it took place in a relatively open, relatively peaceful, relatively liberal institutionalised world order. By preventing World War Three and another Great Depression, the multilateral order arguably did just as much for interdependence as microprocessors or email.[9] From the late 1940s to the beginning of the twenty first century, a densely complex interdependent world order emerged.

However, global interdependence has now progressed to the point where it has altered our ability to engage in further global cooperation; that is to say, economic and political shifts in large part attributable to the *successes* of the post-war multilateral order are now amongst the factors grinding that system into gridlock or deadlock. Because of the remarkable success of global cooperation in the post-war order, human interconnectedness weighs much more heavily on politics than it did in 1945. The need for international cooperation has never been higher. Yet, the 'supply' side of the equation, effective institutionalised multilateral cooperation, has stalled. In areas such as nuclear proliferation, the explosion of small arms sales, terrorism, failed states, global economic imbalances, financial market instability, global poverty and inequality, biodiversity losses, water deficits, and climate change, multilateral and transnational cooperation is now increasingly ineffective or threadbare. Gridlock is not unique to one issue domain, but appears to be becoming a general feature of global governance. Why?

It is possible to identify four reasons for this blockage, four pathways to gridlock: rising multipolarity, harder problems, institutional inertia, and institutional fragmentation.[10] Each

[9] J. Mueller, 'The Obsolescence of Major War', *Security Dialogue,* 21(3), 1990; J. O'Neal and B. Russett. 'The Classical Liberals Were Right: Democracy, Interdependence and Conflict, 1950–1985', *International Studies Quarterly,* 41(2), 1997.

[10] Thomas Hale, David Held, and Kevin Young, *Gridlock: Why Global Cooperation is Failing When We Need It Most'*, Cambridge, Polity, 2013.

pathway can be thought of as a growing trend that embodies a specific mix of causal mechanisms.

Growing multipolarity. The absolute number of states has increased by 300 percent in the last 70 years. More importantly, the number of states that 'matter' on a given issue – that is, the states without whose cooperation a global problem cannot be adequately addressed – has expanded by similar proportions. At Bretton Woods in 1945, the rules of the world economy could essentially be written by the United States with some consultation with the UK and other European allies. In the aftermath of the 2008-2009 crisis, the G-20 has become the principal forum for global economic management, not because the established powers desired to be more inclusive, but because they could not solve the problem on their own. However, a consequence of this progress is now that many more countries, representing a diverse range of interests, must agree in order for global cooperation to occur.

Harder problems. As interdependence has deepened, the types and scope of problems around which countries must cooperate has evolved. Problems are both now more extensive, crossing more countries, and intensive, penetrating deep into the domestic policy space and daily life of many countries. Consider the example of trade. For most of the post-war era, trade negotiations focused on reducing tariff levels on manufactured products traded between industrialised countries. Now, however, negotiating a trade agreement requires also discussing a host of social, environmental, and cultural subjects – GMOs, intellectual property, health and environmental standards, biodiversity, labour standards – about which countries often disagree sharply. In the area of environmental change a similar set of considerations applies.[11] To clean up industrial smog or address ozone depletion required fairly discrete actions from a small number of top polluters. By contrast, the threat of climate change and the efforts to mitigate it involve nearly all countries of the globe. Yet, the divergence of voice and interest within both the developed and developing worlds, along with the sheer complexity of the incentives needed to achieve a low carbon economy, have made a global deal extremely difficult to achieve.

Institutional inertia. The post-war order succeeded, in part, because it incentivised great power involvement in key institutions. From the UN Security Council, to the Bretton Woods institutions, to the Non-Proliferation Treaty, key pillars of the global order explicitly grant special privileges to the countries that were wealthy and powerful at the time of their creation. This hierarchy, it could be argued, was necessary to secure the participation of the most important countries in global governance. Today, the gain from this trade-off has shrunk while the costs have grown. The architects of the post-war order did not, in most cases, design institutions that would organically adjust to fluctuations in national power. And it is very hard to change them, for example, numerous efforts to alter or reform the position of the permanent members of the Security Council have floundered.

Fragmentation. The institution builders of the 1940s began with, essentially, a blank slate. But efforts to cooperate internationally today occur in a dense institutional ecosystem shaped by path dependency. The exponential rise in both multilateral and transnational organisations has created a more complex multilevel and multi-actor system of global

[11] *Ibid*, chapter 3.

governance. Yet, within this dense web of institutions mandates can conflict, interventions are frequently uncoordinated, and all too typically scarce resources are subject to intense competition. For instance, there are many examples of aid failing to meet its targets in pressing humanitarian crises due to the fragmentation of efforts. There are also many cases in emerging global health crises where the international community has failed to coordinate its action in sufficient time to prevent the loss of life accelerating.[12]

The challenges now faced by the multilateral order are substantially different from those faced by the 1945 victors in the post-war settlement. They are second-order cooperation problems arising from previous phases of success in global coordination. Together, they now block and inhibit problem solving and reform at the global level, and create the risk of dangerous drift in the global order, punctuated by force and violence.

Since *Gridlock* was published, I, along with my *Gridlock* co-author Thomas Hale, have been exploring anomalies and exceptions to the somewhat grim diagnosis of contemporary multilateralism. Is global governance more adaptive and resilient than previously believed? It is important to address this question not only to enhance our understanding of world politics, but also, crucially, to help think through practical solutions to the very real dilemmas of governing interdependence in the 21st century.[13]

Examining a range of instances in which gridlock has not prevented effective global governance from emerging, eight 'pathways' out of gridlock have been uncovered in detailed analysis.[14] The pathways can be thought of either as routes 'through' gridlock, meaning more short-term adaptations, responses, or strategies for dealing with pressing needs, or roads 'beyond' gridlock, meaning longer-term transformations dealing with the potential to substantially reshape world politics. Routes through gridlock may, over time, evolve into more substantial changes. Given space limits, five pathways will be focussed upon here.

1. *Civil society coalitions with reformist governments*

Some of the greatest successes in global governance in the 1990s came about from concerted civil society efforts. When activist groups have been able to partner with countries led by progressive governments, significant shifts have been possible, such as the Landmines Treaty, the creation of the International Criminal Court, the Responsibility to Protect doctrine, the Guiding Principles for Internal Displacement, or the Framework Convention on Tobacco Control.

Gridlock has likely increased the barriers to success for such coalitions by making it easier for recalcitrant states to block would-be reformers. Nonetheless, the mobilisation of such coalitions still provides a meaningful way to achieve results in global governance. Civil society groups and social movements tend to be more successful in agenda-setting and

[12] See Brown and Held, 'Gridlock and Beyond in Global Health', in Hale and Held et al., *Beyond Gridlock*, Cambridge, Polity, 2017.
[13] Thomas Hale and David Held et al., *Beyond Gridlock*, Cambridge, Polity, 2017.
[14] *Ibid*

policy impact if a) they work with governments or states and b) seek change that, while reformist, can be accommodated within existing structures and organisational principles, at least in the short to medium term. More structural transformations of who gets what, when, and how tend, if and when successful, to be the outcome of longer term struggles and exchange between civil society / social movements and structures of power. Such transformations have been all too rare since the foundation of the UN and EU, and both of these, of course, were founded against the backdrop of catastrophe.

2. *Autonomous and adaptive international institutions*

Gridlock argued that the past 70 years of international institution-building has had a profound effect on world politics, with many positive outcomes, but also a number of second-order cooperation problems (e.g. institutional inertia and fragmentation) that result from a denser institutional landscape. While it is of course recognized that, under some conditions, international institutions can become formidable autonomous actors in world politics, on average, we might expect gridlock to reduce the ability of international institutions to act proactively.[15]

But there may also be systematic ways in which international organisations can be more autonomous and adaptive than these trends suggest. First, some international institutions have not seen their mandates or capabilities reduced under gridlock. The International Energy Agency, for example, possesses significant autonomy to decide on fuel reserve requirements, and its restrictive membership (to OECD countries) has ensured that it has not been hamstrung by contestation among member states.[16]

Additionally, some international institutions have been given unique capacities to adapt to emerging issues and shifting constellations of power and interests. This ability may be particularly strong for legal institutions, which may possess a 'generative' function; that is, the ability to decide new rules for situations not originally envisioned by states. For example, the WTO Dispute Settlement Mechanism has been increasingly called upon to adjudicate cases for which WTO members have established no clear set of rules. Many of these controversial cases have even involved member states, such as China, that joined the WTO significantly after the treaty-making process had occurred, and which we might therefore expect to challenge existing rules. Despite this difficult circumstance, the WTO adjudicators have developed a careful, politically informed jurisprudence that has been able to resolve disputes over a number of issues beyond what the WTO's creators originally envisioned, and ensured a relatively high rate of compliance with these decisions.

3. *Plurality and diversity of actors and agencies around common goals and norms*

[15] Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics*, Ithaca, NY, Cornell University Press, 2004.
[16] Ann Florini, 'Global Energy Policy', in Hale and Held et al. *Beyond Gridlock,* Cambridge, Polity, 2017.

Gridlock focused on the negative effects of fragmentation in global governance, such as the increase in transaction costs that may result, or the way in which forum-shopping can undermine incentives for cooperation. However, there may also be ways in which fragmentation can represent an adaptive and effective response to the challenges of cooperation.

A proliferation of diverse organisations and institutions, for example, may be efficacious when common rules or principles give coherence to an otherwise fragmented institutional landscape. For example, transnational commercial arbitration represents a common set of practices and procedures for resolving disputes between commercial actors across borders. While it depends in part on international treaty law, the work of actually adjudicating disputes is carried out by hundreds of private legal organisations around the world specialised in commercial dispute resolution. The decisions of these bodies are then given force through domestic courts under both international and domestic law.[17] The regime has proven highly resilient, enduring across geopolitical shifts, including gridlock, that have undermined more formalised institutions.

4. *Interventions to alter the preferences of states over time*

Because growing multipolarity increases the number of states with voice, and with varying preferences, *Gridlock* expects cooperation to stall. Some scholars have, however, emphasised the way in which the proliferation of global governance may shift states' interests in ways that promote cooperation, for example by 'socialising' sates in cooperative patterns.[18] One such mechanism involves interactions between international or transnational institutions and domestic constituencies. Under certain conditions, such institutions are able to strengthen groups within countries that favour increased cooperation or more effective compliance with existing institutions. For example, various human rights institutions were created partly to strengthen the role of pro-law, pro-rights bodies within domestic politics by elevating their voice to the international level. A similar idea animates the new 'pledge and review' system for national climate policies that was created by the 2015 Paris Agreement: domestic groups are empowered to ensure states meet their internationally recognised climate pledges, and lobby against them if they fail, or challenge them to do better if they succeed.

5. *Threats to major powers' core interests*

It is a core tenant of IR theory that when one or more great powers has a strong national interest in policies that could create a global public good, they will be willing and often able to provide that public good. Hard versions of Realist theory see this condition as the only setting in which global public goods are likely to be provided, and it has been advanced as a prominent explanation for post-war global order.[19] A central argument of *Gridlock* is that

[17] Thomas Hale, *Between Interests and Law: The Politics of Transnational Commercial Disputes*, Cambridge, Cambridge University Press, 2015.

[18] J. Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World*, Princeton, N.J., Princeton University Press, 2011.

[19] R. Gilpin, *War and Change in World Politics*, Cambridge, Cambridge University Press, 1981.

this mechanism has been decreasingly common in more recent decades, as growing multipolarity 1) increases the number of great powers that are required to act to provide a global public good in many issues domains; and 2) increases the heterogeneity of interests amongst the great powers. Both of these effects make it less likely for a sufficient coalition of major powers to come together to provide a public good. For example, preventing global financial contagion requires a much larger coalition of countries to act than in, say, the 1970s and those countries' preferences are shaped by very different domestic political economies.

But while gridlock has reduced the conditions under which major powers will be able to provide global public goods as a positive externality of their national interests, it still remains possible. Moreover, it may be the case that gridlock, by reducing the efficacy of multilateralism, generates exactly the kinds of crises that are most likely to bring together great powers, despite long-term trends to the contrary. Such dynamics can be seen in the (fragile) P5+1 coalition which negotiated with Iran; in transgovernmental networks like the Financial Action Task Force (focused on money laundering, especially when connected to terrorist networks); in efforts to counter piracy around the Horn of Africa; in the launching of a concerted effort to tackle Ebola in West Africa; and in other security-oriented fields. Though growing multipolarity has made it less possible for a great power (or coalition of powers) to provide global public goods unilaterally, it remains possible. For issues where a) a great power (or sufficient coalition of powers) have a strong interest in solving a problem and b) no other great powers are opposed, we can expect action to overcome gridlock. Such occasions typically arise in the face of incontrovertible security threats when the relevant powers can gain much more from cooperation than from conflict. Outside the area of security, threats from the global economy (such as during the 2008-09 global financial crisis) or from the environment (above all climate change) can mobilise collective action, although it is not always durable beyond the experience of the immediate threat.

The pathways through, and beyond, gridlock outlined here are an attempt to identify the general mechanisms through which effective global governance can be achieved even in the presence of second-order cooperation problems. A number of additional points help provide a context for understanding their role and relevance.

First, as with the four gridlock trends, each pathway through gridlock does not apply in each sector. Rather, different pathways may manifest in different combinations in different areas.

Second, it is important to note that pathways through gridlock may only be partial, or may be more effective in certain settings than in others. None of the pathways elaborated here can be recognised as silver bullets or panaceas. The focus is instead on relative improvements in outcomes compared to, for instance, doing little or nothing at all.

Third, different pathways can interact or combine to produce distinct outcomes. Some of them may work in concert with each other in such a way that the net effect is greater than

the sum of the parts. Or, it may also be the case that pathways counterbalance each other – with some leading a sector out of gridlock, and others exacerbating gridlock.

Fourth, while gridlock and pathways through it provide elements of a theory of global governance, one must be acutely aware that these dynamics are inextricably linked to and conditioned by domestic political forces, particularly those in the major powers. In *Gridlock*, it was noted how political challenges in several major powers makes gridlock increasingly entrenched. Regrettably, there is little evidence that the situation has improved in the intervening years. In the United States, increasing partisanship driven by the rise of the radical right within the Republican Party, has limited the country's ability to legislate on major issues.[20] It has also rendered all but impossible the ability of the US Senate to ratify international treaties, prompting the executive branch to take unprecedented measures to credibly commit to international cooperation. In Europe, the ongoing tension between economic and political integration remains unresolved, while challenges like migration from the Middle East are threatening to rollback hard-won integration. In China, the challenge of reforming the economy from a highly polluting investment- and export-led model to one that emphasises domestic consumption and human welfare, threatens to substantially distract the government from global affairs. Across these diverse jurisdictions, cross-cutting trends like growing (intra-country) inequality raise fundamental challenges that are likely to exacerbate gridlock. While these domestic-level dynamics fall outside the focus here, they can reinforce gridlock and therefore affect any consideration of pathways beyond it.

The account of gridlock and pathways through it should be understood in the context of realistic counterfactuals. Many of the pathways explored, singly or in combination, will not usher in imminently a radically more effective set of global governance arrangements. The concern, instead, is in identifying systematic mechanisms that can reasonably ameliorate or undo the more pernicious consequences of multilateral gridlock. The hope is that the analytic arguments advanced here, suitably elaborated and tested, will increase our understanding of which political strategies can best advance human welfare in a globalised, gridlocked world.

In the aftermath of the Second World War the institutional breakthroughs that occurred provided the momentum for decades of sustained economic growth and geopolitical stability sufficient for the transformation of the world economy, the shift from the Cold War to a multipolar order, and the rise of new communication and network societies. However, what works then does not work as well now, as gridlock freezes problem-solving capacity in global governance. The search for pathways through and beyond gridlock is a hugely significant task -- nationally and globally -- if global governance is to be once again effective, responsive, and fit for purpose.

[20] N. McCarty, K. Poole, and H. Rosenthal, *Polarized America: The Dance of Ideology and Unequal Riches*, Cambridge, MA, MIT Press, 2006.

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